

In the Claims

1-4. (cancelled)

5. (previously presented) The capsule according to claim 21 wherein the filler is a solid.

6. (previously presented) The capsule according to claim 21 wherein the filler is a semi-solid.

7. (cancelled)

8. (previously presented) The capsule according to claim 21 wherein the digestible filler is a binder.

9-11. (cancelled)

12. (previously presented) The capsule according to claim 21 wherein the capsule has indicia thereon to indicate the second portion of the capsule.

13-19. (cancelled)

20. (previously presented) The capsule according to claim 21 wherein the percentage of the total weight of the capsule that is due to the weight of the digestible filler is between about 15% and 80%.

21. (currently amended) A capsule configured to be swallowed in whole with a liquid, comprising:

a first portion having an interior;

a second portion attached to the first portion, the second portion having an interior;

an active ingredient concentrated in the interior of the first portion; and

a predetermined amount of digestible filler concentrated in the interior of the second portion of the capsule, the filler being chosen from the group sucrose, dextrose, lactose, fructose, microcrystalline cellulose, sorbitol, xylitol, isomalt, gelatin and starch, the digestible filler having a predetermined weight that increases the density of the capsule to a predetermined density that effects sinking

of at least the second portion of the capsule below the surface of the liquid, the amount and concentration of the digestible filler being such as to eliminate formation of regions within the interior of the second portion that are relatively low density with respect to the liquid with which the capsule is swallowed; and

wherein the percentage of the total weight of the capsule that is due to the weight of the digestible filler is between about 5% and 95% and wherein the amount and concentration of the digestible filler in the interior of the second portion significantly reduce the buoyancy of the capsule so as to cause at least the second portion of the capsule to sink below the surface of the liquid.

22. (previously presented) The capsule according to claim 21 wherein the first portion of the capsule comprises a body portion of the capsule and the second portion comprises a cap portion of the capsule.

23. (previously presented) The capsule according to claim 21 wherein the predetermined weight and concentration of the digestible filler produces a density of the second portion that is at least 1.0 g/ml.

24-36. (cancelled)

37. (previously presented) The capsule according to claim 21 wherein the first portion of the capsule comprises a cap portion of the capsule and the second portion comprises a body portion of the capsule.